

Amendment No. 2 to SB2362

**Kyle
Signature of Sponsor**

FILED
Date _____
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Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2362*

House Bill No. 2556

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-6-111(b)(2), is amended by deleting the period at the end of the subdivision and by substituting instead the following:

or proof of participation in a certified builder program (CBP) approved by the board and administered by the Home Builders Association of Tennessee, Inc. (HBAT), such program consisting of certain minimum participation requirements as follows:

(A) One (1) year written warranty which shall include:

(i) Industry recognized construction performance standards; and

(ii) Third party dispute resolution mechanism; however, the board shall retain final authority to resolve any complaints not satisfied by such mechanism.

(B) Agreement to maintain worker's compensation insurance; and

(C) Agreement to maintain general liability insurance.

SECTION 2. Notwithstanding any of the other provisions of this part, or any other statute or regulation, no cause of action shall arise against HBAT or any of its affiliated local associations for a builder's failure to maintain workers compensation insurance and/or general liability insurance as set forth herein unless the association acted willfully, intentionally, or fraudulently by failing to require the builder to maintain such insurances.

SECTION 3. Tennessee Code Annotated, Section 62-6-111(b), is amended by adding the following new subdivision thereto:

(5) All licenses held by any residential or light commercial builder that has a monetary limitation of one million dollars (\$1,000,000) or less, as designated by the board, are to be renewed biennially. Builders showing proof of participation in the

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certified builder program shall pay fifty percent (50%) of the established license renewal fee.

SECTION 4. Tennessee Code Annotated, Section 62-6-116(a), is amended by deleting the language "twelfth month" and by substituting instead the language "twenty-fourth month".

SECTION 5. Tennessee Code Annotated, Section 62-6-116(d), is amended by deleting the language "for one (1) year" and by substituting instead the language "for two (2) years".

SECTION 6. Except as otherwise provided in this act, it is the intention of the general assembly that the board adjust its fee schedule to reflect the change in licensure period from annual to biennial licensure.

SECTION 7. This act shall take effect January 1, 2001, the public welfare requiring it.